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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/694,805	10/29/2003	Koichi Sakamoto	F03-161819M/SW	6763

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EXAMINER	
HERNANDEZ, NELSON D	
ART UNIT	PAPER NUMBER
2622	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
2 MONTHS	03/23/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

## Office Action Summary

**Application No.**

10/694,805

**Applicant(s)**

SAKAMOTO ET AL.

**Examiner**

Nelson D. Hernandez

**Art Unit**

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 1/26/2004.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Drawings*

1. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because in fig. 1, the number "34" in the box labeled GRAY SCALE CONVERTER should be changed to "37". Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

### *Specification*

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: **Digital Camera Recording Dynamic Range Compression Information.**

3. The disclosure is objected to because of the following informalities:

- a. In page 8, line 17, "gray scale converter 3" should be changed to "gray scale converter 37".
- b. In page 9, line 17, "Cmin" should be written as "Dmin".

Appropriate correction is required.

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4. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a **single paragraph** on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

#### ***Allowable Subject Matter***

5. **Claim 1 is allowed.**

6. The following is an examiner's statement of reasons for allowance:

**Regarding claim 1**, the main reason for indication of allowable subject matter is because the prior art fails to teach or reasonably suggest, including all the limitations of the present claim, that the tag information comprises maximum range information indicating the maximum subject reflection factor before and after the dynamic range compression and that said Knee point indicates the subject reflection factor assumed when the dynamic range compression was made.

**Applicants Admitted Prior Art (AAPA)** teaches a digital camera comprising a feature to photograph a subject and record the image data onto a recording medium in a dynamic range wider than that required for printing (Page 1, line 9 – page 2, line 8).

**Sato, US Patent 6,650,365 B1** teaches a digital camera (See fig. 1) comprising: a feature to store tag information (See fig. 2: M4) into an image file (See fig. 2), together

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with the image data (See fig. 2: M1), and record the image file onto a recording medium (See fig. 1: M), said tag information comprising: range compression information indicating whether dynamic range compression has been made (As shown in fig. 2, Sato teaches recording Knee processing information related to whether dynamic range compression has been performed to the image; col. 4, lines 15-38); and knee point information (As shown in fig. 2, Sato teaches recording Knee processing information related to whether dynamic range compression has been performed to the image; col. 4, lines 15-38).

**Nakajima et al., US 2002/0135687 A1** teaches a digital camera (Fig. 2) comprising a feature to photograph a subject and record the image data onto a recording medium (See fig. 2: MC) in a resolution larger than that required for printing (page 8, ¶ 0103), said digital camera further comprising: a feature to store tag information (Fig. 3: 102 and fig. 5) into an image file (See fig. 3), together with said image data (Fig. 3: 101), and record the image file onto said recording medium, said tag information comprising different graphics control information (i.e. exposure time, lens F number, exposure compensation, min. F value, lens focal distance, color space information, auto adjust level, etc.) (Page 4, ¶ 0058-0061; page 5, ¶ 0069-0074; page 6, ¶ 0079-0084; page 7, ¶ 0093-0099; page 8, ¶ 0102-0109; page 9, ¶ 0111-0113).

However, AAPA, Sato and Nakajima et al., either alone or in combination fail to teach or reasonably suggest that said tag information comprises maximum range information indicating the maximum subject reflection factor before and after the

dynamic range compression and that said Knee point indicates the subject reflection factor assumed when the dynamic range compression was made.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Tsuchida et al.**, US 2003/0108337 A1, teaches storing with the image data tag information in a memory relating to photographing conditions when the image was captured (See figs. 3(a) and 3(b); page 5, ¶ 0072 – page 6, ¶ 0079).

**Inoue et al.**, US Patent 6,273,535 B1 teaches a camera recording image information with a tag comprising image additional information such as resolution information, color mode information, color processing information, flash ON/OFF, STOP information, shutter speed, Object distance, zoom ratio, lens type, filter type, vibration sensor value information, date information, place code, image data size, color processing parameter information in camera, camera type information, camera recommended printing parameter (See fig. 2) to be used when printing (Col. 4, line 64 – col. 5, line 34; col. 4, line 66 – col. 5, line 46).

### ***Contact***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nelson D. Hernandez whose telephone number is (571) 272-7311. The examiner can normally be reached on 8:30 A.M. to 6:00 P.M..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on (571) 272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nelson D. Hernandez  
Examiner  
Art Unit 2622

NDHH  
3/5/2007



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